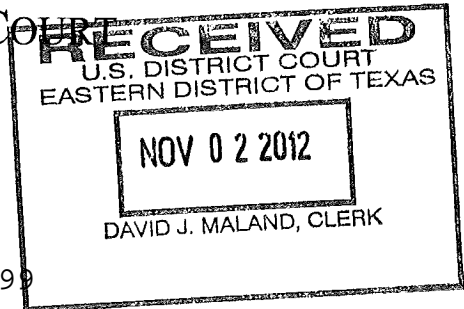


AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Eastern District of Texas



Blue Spike, LLC

Plaintiff(s)

v.

Audible Magic Corporation, et al

Defendant(s)

6:12CV499

CONSOLIDATED WITH

Civil Action No. 6:12-CV-576-LED

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Harmonix Music Systems, Inc.
The Corporation Trust Company
Corporation Trust Center
1209 Orange Street
Wilmington, Delaware 19801

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Eric M. Albritton
ALBRITTON LAW FIRM
P.O. Box 2649
Longview, Texas 75606

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: 9/27/12



CLERK OF COURT

David Maland

Signature of Clerk or Deputy Clerk

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. 6:12-CV-576-LED

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* Harmonix Music Systems, Inc
 was received by me on *(date)* 10/02/2012 .

☐ I personally served the summons on the individual at *(place)* _____
 _____ on *(date)* _____ ; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
 _____, a person of suitable age and discretion who resides there,
 on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
 designated by law to accept service of process on behalf of *(name of organization)* _____
 _____ on *(date)* _____ ; or

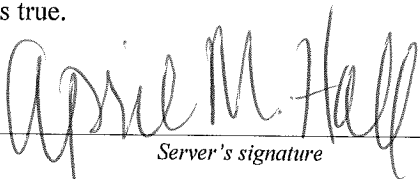
☐ I returned the summons unexecuted because _____ ; or

☒ Other *(specify)*: certified mail, return receipt requested #70080500000118062248

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: 10/17/2012



Server's signature

April M Hall

Printed name and title

111 West Tyler, Longview Tx. 75601

Server's address

Additional information regarding attempted service, etc:

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

WILMINGTON DE 19801

| | | |
|---|---------|------------------|
| Postage | \$ 8.75 | 0601 |
| Certified Fee | \$2.95 | 01 |
| Return Receipt Fee (Endorsement Required) | \$2.35 | Postmark Here |
| Restricted Delivery Fee (Endorsement Required) | \$0.00 | |
| Total Postage & Fees | \$14.05 | |

Sent To: **Harmonix Music Systems, Inc.**
The Corporation Trust Company
Corporation Trust Center
1209 Orange Street
Wilmington, Delaware 19801

PS Form 3800, August 2006 See Reverse for Instructions

| SENDER: COMPLETE THIS SECTION | | COMPLETE THIS SECTION ON DELIVERY | |
|--|--|--|--|
| <ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. | | <p>A. Signature <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>X</p> | |
| <p>1. Article Addressed to:</p> <p>Harmonix Music Systems, Inc. The Corporation Trust Company Corporation Trust Center 1209 Orange Street Wilmington, Delaware 19801</p> | | <p>B. Received by (Printed Name)</p> <p>C. Date of Delivery</p> | |
| <p>2. Article Number (Transfer from service label)</p> <p>7008 0500 0001 1806 2248</p> | | <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> | |
| <p>3. Service Type</p> <p><input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> | | <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p> | |

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

[English](#)[Customer](#)[USPS Mobile](#)[Register / Sign In](#)[Service](#)[Search USPS.com or Track Package](#)[Quick Tools](#)[Ship a Package](#)[Send Mail](#)[Manage Your Mail](#)[Shop](#)[Business Solutions](#)

Track & Confirm

[GET EMAIL UPDATES](#)[PRINT DETAILS](#)**YOUR LABEL NUMBER**

70080500000118062248

SERVICE

Priority Mail®

STATUS OF YOUR ITEM

Delivered

DATE & TIMEOctober 02, 2012, 7:02
am**LOCATION**

WILMINGTON, DE 19899

FEATURES**Expected Delivery By:**
October 1, 2012
Certified Mail™
Return Receipt

Arrival at Unit

October 02, 2012, 5:33
am

WILMINGTON, DE 19801

Depart USPS Sort
Facility

September 30, 2012

PHILADELPHIA, PA 19116

Processed at USPS
Origin Sort FacilitySeptember 30, 2012,
12:08 am

PHILADELPHIA, PA 19116

Dispatched to Sort
FacilitySeptember 28, 2012, 5:48
pm

LONGVIEW, TX 75601

Acceptance

September 28, 2012, 4:27
pm

LONGVIEW, TX 75601

Check on Another Item

What's your label (or receipt) number?

[Find](#)**LEGAL**[Privacy Policy ›](#)
[Terms of Use ›](#)
[FOIA ›](#)
[No FEAR Act EEO Data ›](#)**ON USPS.COM**[Government Services ›](#)
[Buy Stamps & Shop ›](#)
[Print a Label with Postage ›](#)
[Customer Service ›](#)
[Site Index ›](#)**ON ABOUT.USPS.COM**[About USPS Home ›](#)
[Newsroom ›](#)
[Mail Service Updates ›](#)
[Forms & Publications ›](#)
[Careers ›](#)**OTHER USPS SITES**[Business Customer Gateway ›](#)
[Postal Inspectors ›](#)
[Inspector General ›](#)
[Postal Explorer ›](#)

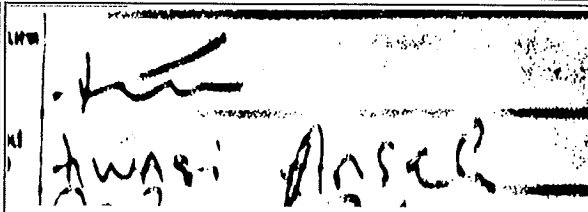
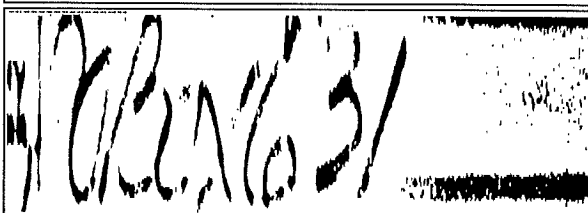
Copyright© 2012 USPS. All Rights Reserved.



UNITED STATES
POSTAL SERVICE

Track/Confirm - Intranet Item Inquiry
Item Number: 7008 0500 0001 1806 2248

This item was delivered on 10/02/2012 at 07:02

| | |
|------------|--|
| Signature: |  |
| Address: |  |

Enter Request Type and Item Number:

Quick Search ☐ Extensive Search

[Explanation of Quick and Extensive Searches](#)

Version 1.0

Inquire on [multiple items](#).

Go to the Product Tracking System [Home Page](#).

